



IPW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/708,807	
	Filing Date	March 26, 2004	
	First Named Inventor	Christopher Tokarz	
	Art Unit	1742	
	Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	018300-001349

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ): <b>Communication, 4 Page Declaration and Acknowledgment Postcard.</b>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MOORE & VAN ALLEN PLLC		
Signature			
Printed Name	MATTHEW W. WITSIL		
Date	15 April 2005	Reg. No.	47,183

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Laura McCullen	Date	April 15, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/708,807 Confirmation No.: 2806  
Applicant : Tokarz et al.  
Filed : March 26, 2004  
T.C./A.U. : 1742  
Examiner :  
Docket No. : 018300-001349  
Customer No. : 24,239

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

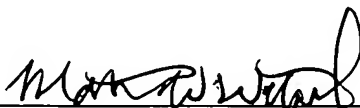
**COMMUNICATION**

Please enter into the file a copy of the Declaration for this Application No. 10/708,807 for the fourth listed inventor, Clinton Graham. Mr. Graham previously refused to sign the Declaration, and consequently a Petition under 37 C.F.R. 1.47(a) was filed by the representative of the remaining three signing applicants. Mr. Graham subsequently elected to execute the Declaration. His signature is on page 4 of 4 of the attached form PTO/SB/01. The remaining three inventors signed a previously submitted copy of the Declaration.

It is believed that there is no fee associated with this Communication, however, the Commissioner is hereby authorized to charge payment of any fee associated with this Communication to Deposit Account No. 13-4365.

Respectfully submitted,

Date: 15 April 2005

By: 

Matthew W. Witsil  
Registration Number: 47,183  
Moore & Van Allen PLLC  
430 Davis Dr., Suite 500  
Morrisville, NC 27560-6832  
Telephone: 919-286-8000  
Facsimile: 919-286-8199